

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

TBB INTERNATIONAL BANK CORP.,
Plaintiff,

v.

**JOSE ANTONIO OLIVEROS FEBRES, ET
AL.,**
Defendants.

CIVIL NO. 23-1310 (ADC)

**CONSENT MOTION TO STAY DISCOVERY PENDING RESOLUTION OF MOTION TO
DISMISS**

COME NOW Defendants Jose Antonio Oliveros-Febres and Holding Activo Ltd., through the undersigned counsel, and hereby request clarification on the Court’s order to commence limited discovery and also request an order staying discovery pending resolution of their Motion to Dismiss. In support thereof, Defendants state as follows:

1. Plaintiff TBB International Bank Corp. filed suit against Defendants AIB Properties Limited Ltd.; Consultora Baru 2018, C.A.; Gustavo Jose Gerardo Corredor-Salcedo; Don Goyo Corporation Aviation; El Retiro Group Ltd.; Mara Eugenia Febres Cordero Zamora; Gorlio Enterprises Ltd.; Holding Activo Ltd.; Intelinvest Casa de Valores, S.A. Inversiones Elektrogorsk, C.A.; Inversiones Saitam, S.A.; Alejandro Enrique Montenegro Diaz; Alexandra Oliveros Febres Cordero; Jose Antonio Oliveros Febres Cordero; Jose Antonio Oliveros Mora; and Alejandro J. Valencia Hurtado on June 12, 2023. (*See* Docket No. 1.) Plaintiffs alleged violations of the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. § 1961, *et seq.*, and alleged violations of Puerto Rico law.
2. On September 25, 2023, Defendants Gustavo Jose Corredor-Salcedo and Alejandro Valencia-Hurtado moved to dismiss the complaint. (*See* Docket No. 24.)
3. Subsequently, on October 23, 2023, Defendants Don Goyo Corporation Aviation; Gorlio Enterprises Ltd.; and Alexandra Oliveros-Febres-Cordero also filed a motion to dismiss.

(*See* Docket No. 30.)

4. On March 15, 2024, Defendants AIB Properties Limited Ltd.; El Retiro Group Ltd.; Maria Eugenia Febres-Cordero-Zamora; and Jose Antonio Oliveros-Mora moved for dismissal of all claims against them, as well. (*See* Docket No. 54.)
5. Finally, on July 29, 2024, the appearing defendants moved for dismissal of all claims brought against them. (*See* Docket No. 71.)
6. On August 23, 2024, the Court issued an Opinion and Order granting in part and denying in part the motions to dismiss filed by Defendants Gustavo Jose Corredor-Salcedo and Alejandro Valencia-Hurtado; Defendants AIB Properties Limited Ltd.; El Retiro Group Ltd.; Maria Eugenia Febres-Cordero-Zamora; and Jose Antonio Oliveros-Mora; and Defendants AIB Properties Limited Ltd.; El Retiro Group Ltd.; Maria Eugenia Febres-Cordero-Zamora; and Jose Antonio Oliveros-Mora. (*See* Docket No. 74.) The Court dismissed all state law claims brought against the moving parties, but ordered the parties to conduct limited discovery, to conclude on or before November 25, 2024, to determine whether there is evidence of predicate acts in the possession of the defendants. (*See id.* at p. 20.)
7. On August 26, 2024, Magistrate Judge Lopez-Soler issued an order directing the parties to meet to discuss a potential discovery schedule and inform the Court of the parties' agreement on or before September 4, 2024. (*See* Docket No. 75.)
8. However, at the time of the filing of this motion, the motion to dismiss filed by the appearing defendants remains pending and has yet to be opposed by the plaintiff.
9. Accordingly, because a motion that could dispose of the remainder of the case remains

pending, Defendants respectfully posit that it would serve judicial economy to stay the Court's discovery order until the pending motion to dismiss is resolved. This would streamline the issues to discover and would avoid needless party expenses.

10. Upon resolution of the motion, if claims remain, Defendants respectfully suggest that the parties be afforded the same three-month window originally provided by the Court in its opinion and order. This way, the requested stay does not prejudice any party's right to conduct discovery on the material issues raised in the Court's Opinion and Order.

11. This request is made in good faith, without dilatory intent, and in the interest of justice.

More importantly, the appearing defendants consulted with all parties to this case and all kindly expressed having no objection to the relief sought herein.

WHEREFORE, Defendant respectfully requests the Court **GRANT** this motion.

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico on this 28th day of August 2028.

WE HEREBY CERTIFY: Today we have electronically filed the foregoing document using the CM/ECF system which will send a copy and notification of filing to all counsel of record.

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